

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JESSE MITCHELL,

Plaintiff,

vs.

ZOLA INVESTMENT TWO, LLC,
WELLS FARGO BANK, N.A., FIRST
AMERICAN TITLE INSURANCE CO.,
GRUBB & ELLIS COMPANY,
STANBERY DEVELOPMENT, LLC,
JON MEYER, FARMER'S INSURANCE
GROUP AND JOHN AND JANE DOES
1-20 inclusive,

Defendant.

CASE NO. 11CV0365-AJB (NLS)

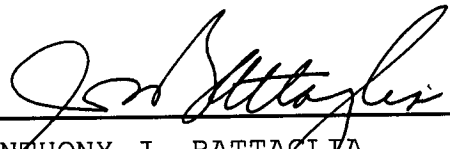
DEPUTY

JUDGMENT AND DISMISSAL BY COURT
UNDER RULE 4(m) F.R.Civ.P. FOR WANT
OF PROSECUTION

Notice having been given to the plaintiff in the Order to Show Cause for Dismissal for Want of Prosecution under Rule 4(m), F.R.Civ.P. for failure to serve process filed on August 24, 2011, and it appearing that no proof of service of the summons and complaint to defendants or a declaration under penalty of perjury showing good cause for failure to timely serve Defendants accompanied by a motion for leave to serve process outside of the 120 day period was filed as noticed by September 9, 2011, therefore,

IT IS ORDERED, ADJUDGED AND DECREED that the above-entitled cause is hereby dismissed without prejudice, for want of prosecution.

DATED: September 14, 2011


ANTHONY J. BATTAGLIA
UNITED STATES DISTRICT JUDGE

ENTERED ON _____